

REGULAR MEETING  
BOROUGH COUNCIL  
BOROUGH OF RUMSON  
November 3, 2014

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of Borough Hall on November 3, 2014 and was called to order by Mayor John E. Ekdahl at 4:00 p.m.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman Atwell, Councilmen Broderick, Day, Hemphill, Rubin and Shanley.

Absent: None.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

Thomas Neff of T & M Associates was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2014 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilman Rubin, seconded by Councilman Day, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

**COMMUNICATIONS:**

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None.

**COMMITTEE REPORTS:**

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None.

**UNFINISHED BUSINESS:**

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None.

**NEW BUSINESS:**

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**RESOLUTION 2014-1103-145 AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BOROUGH BUDGET FOR THE POST SANDY PLANNING ASSISTANT PHASE II GRANT:**

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**2014-1103-145**

Councilman Hemphill offered the following resolution and moved its adoption:

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF THE BOROUGH OF  
RUMSON PURSUANT TO N.J.S.A. 40A:4-87  
(CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Rumson hereby requests the Director of the Division of Local Finance approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$255,000.00, which item is now available as a revenue from the State of New Jersey, Department of Community Affairs, Local Planning Services, Post Sandy Planning Assistance Grant Phase II pursuant to the provisions of statute; and

BE IT FURTHER RESOLVED that a like sum of \$255,000.00 be and same is hereby appropriated under the caption of Post Sandy Planning Assistance Grant Phase II.

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

**RESOLUTION 2014-1103-146 AUTHORIZING THE APPOINTMENT OF GRACE P. MAGGIULLI AS A FULL-TIME DISPATCHER/CLASS II SPECIAL OFFICER EFFECTIVE JANUARY 1, 2015:**

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**2014-1103-146**

Councilman Rubin offered the following resolution and moved its adoption:

**RESOLUTION**

WHEREAS, the Borough of Rumson through its Police Department has the need for a full-time Police Dispatcher/Class II Special Police Officer; and

WHEREAS, Grace P. Maggiulli has experience as a part-time Dispatcher with the Boroughs of Rumson and Little Silver; and

WHEREAS, Police Chief Scott Paterson and the Police Committee have recommended that Ms. Maggiulli be appointed as a full-time Police Dispatcher/Class II Special Police Officer; and

WHEREAS, the Police Chief and Police Committee have recommended that Ms. Maggiulli attend the Special Law Enforcement Officer Class II Course in January;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Grace P. Maggiulli be appointed as a full-time Police Dispatcher/Class II Special Police Officer at an annual salary of \$26,000.00 effective January 1, 2015; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer and the Payroll Clerk.

Resolution seconded by Councilwoman Atwell and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

**CONSENT AGENDA:**

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**RESOLUTION 2014-1103-147 AUTHORIZING THE REFUND OF UNUSED FEES FOR POLICE TRAFFIC CONTROL SERVICES TO VISITING NURSE ASSOCIATION OF CENTRAL JERSEY:**

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**2014-1103-147**

RESOLUTION TO AUTHORIZE REFUND TO  
VISITING NURSE ASSOCIATION OF CENTRAL JERSEY

WHEREAS, Visiting Nurse Association of Central Jersey, 176 Riverside Avenue, Red Bank, NJ 07701, posted \$1,044.00 for eighteen (18) hours of Police Traffic Control Services on October 12 and 18, 2014; and

WHEREAS, Rumson Police Officers provided only five (5) of the requested eighteen (18) hours; and

WHEREAS, Police Chief Scott Paterson has confirmed that only five (5) hours were provided by Rumson Officers; and

WHEREAS, Karen M. Rafiqi, of the Visiting Nurse Association, has requested a refund of \$754.00; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$1,044.00 from Visiting Nurse Association of Central Jersey and recommends a refund be made to Visiting Nurse Association of Central Jersey in the amount of \$754.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Visiting Nurse Association of Central Jersey be refunded \$754.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

**RESOLUTION 2014-1103-148 AUTHORIZING THE REFUND OF UNUSED FEES FOR  
POLICE SECURITY SERVICES TO CAMPERSHIP OF MONMOUTH COUNTY:**

**2014-1103-148**

RESOLUTION TO AUTHORIZE REFUND TO  
CAMPERSHIP OF MONMOUTH COUNTY

WHEREAS, Campership of Monmouth County, PO Box 341, Rumson, NJ 07760, posted \$200.00 for Police Security Services; and

WHEREAS, Police Sergeant Robert Boyer has confirmed that no Rumson Officers provided the requested services; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$200.00 from Campership of Monmouth County and recommends a refund be made to Campership of Monmouth County in the amount of \$200.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Campership of Monmouth County, PO Box 341, Rumson, NJ 07760 be refunded \$200.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

**RESOLUTION 2014-1103-149 AUTHORIZING THE REFUND OF UNUSED FEES FOR  
POLICE TRAFFIC CONTROL SERVICES TO DELAWARE VALLEY UTILITY  
CONTRACTORS, INC.:**

**2014-1103-149**

RESOLUTION TO AUTHORIZE REFUND TO  
DELAWARE VALLEY UTILITY CONTRACTORS, INC.

WHEREAS, Delaware Valley Utility Contractors, Inc., 225 Warren Street, Reading, PA 19601 posted \$1,044.00 for 18 hours Police Traffic Control Services; and

WHEREAS, only 13 hours were provided by Rumson Police Officers; and

WHEREAS, Police Sergeant Robert Boyer has confirmed that only 13 hours were provided by Rumson Officers; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$1,044.00 from Delaware Valley Utility Contractors, Inc., and recommends a refund be made to Delaware Valley Utility Contractors, Inc. in the amount of \$290.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Delaware Valley Utility Contractors, Inc., 225 Warren Street, Reading, PA 19601 be refunded \$290.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

**RESOLUTION 2014-1103-150 AUTHORIZING THE REFUND OF UNUSED FEES FOR POLICE TRAFFIC CONTROL SERVICES TO MONMOUTH COUNTY HISTORICAL ASSOCIATION:**

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**2014-1103-150**

RESOLUTION TO AUTHORIZE REFUND TO  
MONMOUTH COUNTY HISTORICAL ASSOCIATION

WHEREAS, Monmouth County Historical Association, 70 Court Street, Freehold, NJ 07728, posted \$464.00 for eight (8) hours of Police Traffic Control Services; and

WHEREAS, Rumson Police Officers only provided four (4) of the requested eight (8) hours; and

WHEREAS, Police Sergeant Robert Boyer has confirmed that only four (4) hours were provided by Rumson Officers; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$464.00 from Monmouth County Historical Association and recommends a refund be made to Monmouth County Historical Association in the amount of \$232.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Monmouth County Historical Association, 70 Court Street, Freehold, NJ 07728 be refunded \$232.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

**RESOLUTION 2014-1103-151 AUTHORIZING THE REFUND OF UNUSED FEES FOR POLICE SECURITY SERVICES TO DAVID LONG AND KRISTA VALENTINO:**

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**2014-1103-151**

RESOLUTION TO AUTHORIZE REFUND TO  
DAVID LONG AND KRISTA VALENTINO

WHEREAS, David Long and Krista Valentino, 49 Buena Vista Ave, Rumson, NJ 07760, posted \$250.00 for Police Security Services; and

WHEREAS, Police Sergeant Robert Boyer has confirmed that no Rumson Officers provided the requested services; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$250.00 from David Long and Krista Valentino and recommends a refund be made to David Long and Krista Valentino in the amount of \$250.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that David Long and Krista Valentino, 49 Buena Vista Ave, Rumson, NJ 07760 be refunded \$250.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

**RESOLUTION 2014-1103-152 AUTHORIZING THE REFUND OF UNUSED FEES FOR POLICE SECURITY SERVICES TO KRISTINE SHEFTEL:**

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**2014-1103-152**

RESOLUTION TO AUTHORIZE REFUND TO  
KRISTINE SHEFTEL

WHEREAS, Kristine Sheftel, 34 Navesink Ave, Rumson, NJ 07760, posted \$250.00 for Police Security Services; and

WHEREAS, Police Sergeant Robert Boyer has confirmed that no Rumson Officers provided the requested services; and

WHEREAS, Helen L. Graves, Chief Financial Officer, has confirmed receipt of \$250.00 from Kristine Sheftel and recommends a refund be made to Kristine Sheftel in the amount of \$250.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that Kristine Sheftel, 34 Navesink Ave, Rumson, NJ 07760 be refunded \$250.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

The above six (6) Resolutions on the Consent Agenda were moved for adoption by Councilman Rubin. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

**ANNOUNCEMENTS BY THE MAYOR:**

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Mayor Ekdahl made the following Announcements:

1. There will be a Veterans’ Day Ceremony held in Victory Park on Tuesday, November 11<sup>th</sup> at 11:00 a.m. At that time, the names of the Veterans that have been added to the Veterans Monument will be announced. We hope that you will join us.
2. Borough Hall will be open on Veterans’ Day, Tuesday, November 11<sup>th</sup> this year. There will be garbage pickup and the Recycling Center will be open on November 11<sup>th</sup>.

Thank you for your cooperation.

**CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):**

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Councilman Hemphill offered the following resolution and moved its adoption:

\$	10.80	NJ Dept Health/Sr Services
\$	89.00	Red Bank Veterinary Hospital
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\$	99.80	Animal Control Account
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\$	21,000.00	Fiore Paving Company
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\$	21,000.00	Capital Account
\$	110.25	Jeffrey R Surenian & Assoc LLC
\$	110.25	COAH Trust Fund
\$	330.70	Stephen Barrett
\$	200.00	Campership of Monmouth Cty Inc
\$	139.00	Career Development Institute
\$	15,597.00	Conner Strong & Buckelew
\$	2,382,793.34	Monmouth County Treasurer
\$	150,878.71	Monmouth County Treasurer (LIB)
\$	127,694.76	Monmouth County Treasurer (OS)
\$	290.00	Delaware Valley Utility
\$	68.50	Direct Energy Business
\$	1,525.20	Edwards Tire Co Inc
\$	9,458.50	First Priority Emergency
\$	53.64	Robert E Halligan
\$	236.11	Industrial Chem Lab & Services
\$	250.00	Jean's Canvas Products
\$	775.00	Kerrigan Electric Inc
\$	250.00	David Long & Krista Valentino
\$	20.00	Mazza & Sons Inc
\$	767.43	Mid-Atlantic Truck Centre Inc
\$	829.44	Monmouth County Tax Admin
\$	30.00	Monmouth County Police Academy
\$	550.00	Monmouth Fabricating LLC
\$	232.00	Monmouth County
\$	105.05	Naylor's Auto Parts
\$	9,068.80	New Jersey American Water
\$	377.97	NJ Natural Gas Co
\$	220.00	NJ State League of Municipalities
\$	83,131.15	State of NJ Pensions/Active
\$	40,930.37	State of NJ Pensions/Retiree
\$	10,836.00	Realty Data Systems LLC
\$	1,145.56	Republic Services of NJ LLC
\$	1,845.41	Reussille Law Firm LLC
\$	108.05	Thomas S Rogers
\$	2,814,327.83	Rumson Elementary School Dist
\$	2,276,174.41	RFH Regional High School
\$	2,102.26	Seaboard Welding Supply Inc
\$	250.00	Kristine Sheftel
\$	250.00	State Shorthand Reporting Serv
\$	811.57	Staples Advantage
\$	2,002.22	Trico Equipment Services LLC
\$	372.17	Trius Inc
\$	31.50	Up-Tite Fasteners Inc
\$	754.00	VNA of Central Jersey
\$	198.90	George Wall Lincoln
\$	7,938,012.55	Current Fund
\$	494.90	John Deere Landscaping
\$	200.00	Garrett Littman
\$	160.00	William O'Brien
\$	88.82	Sarah Orsay
\$	30.00	Edward Osmulski
\$	220.00	Bennett Todd Pelino
\$	120.00	Ethan Peters
\$	375.00	Courtney Setteducate
\$	290.00	Sickles Market
\$	1,978.72	Recreation Account
\$	1,000.00	Vision Landscape & Design

\$	1,000.00	Trust Account
\$	7,938,012.55	Current Fund Appropriations
\$	99.80	Animal Control Fund Expenses
\$	21,000.00	Capital Fund Disbursements
\$	1,978.72	Recreation Disbursements
\$	1,110.25	Trust Fund – Other Expenses
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\$	7,962,201.32	Total Of All Funds

Resolution seconded by Councilman Broderick I and carried on the following roll call vote:

In the affirmative: Atwell, Broderick, Day, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

#### **COMMENTS FROM THE COUNCIL:**

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

#### **COMMENTS FROM THE PUBLIC:**

The Mayor afforded the members of the public an opportunity to be heard at this time on any matters regarding the meeting or general Borough matters and no one responded.

#### **Monmouth County Hazard Mitigation Plan:**

The Municipal Clerk/Administrator explained that as part of the Monmouth County Hazard Mitigation Plan the Borough was required to make a meeting available to the public to comment on the Monmouth County countywide Plan that was developed over the past two years. He reported that the prior plan had expired and, as part of FEMA's program, the County municipalities were required to hold public hearings at which time residents of Monmouth County and, more specifically the residents of the Borough of Rumson for this meeting, could attend to comment on the County's Draft Plan.

#### **NJ DCA Post Sandy Planning Assistance Grant Phase 2 and specifically the Flood Plain Management Plan and Borough Flood Plain Ordinance:**

The Municipal Clerk/Administrator explained that the New Jersey Department of Community Affairs (NJ DCA) had awarded the Borough of Rumson a very large grant to review different planning segments within the Borough. He reported that part of that Plan was to analyze the Borough's Flood Plain Ordinances and Flood Plain Management Plan as part of the grant process. The Municipal Clerk/Administrator advised that the committee that was formed from members of the Planning and Zoning Boards and Borough Council would meet to review those items, but prior to meeting the Borough was required to solicit information and concerns regarding our current plans—specifically how the Borough allows the residents to build, required home elevations and heights, different areas in which we allow residents to build homes—so that when the committee does meet they will have the necessary feedback to discuss the ideas that have come out of the public comments.

The public was afforded an opportunity to be heard at this time on the two above matters and the following resident responded:

Richard Jones of 37 Navesink Avenue asked if this meeting would be the only chance that the public would have to comment.

Thomas Neff of T & M Associates stated that there would be another public hearing prior to the Plan being adopted and that it would take the Borough a few months to complete the whole process. He added that the County has given the Borough a thirty-day window for the Hazard Mitigation Plan that ends on November 17, 2014.

Mr. Jones asked how the Borough was going to spend the NJ DCA grant money on a longer term project.

The Municipal Clerk/Administrator reported that the grant was specifically for planning and was very descriptive on how the money was to be spent; it did not include any road improvements, bulkheads, berms, concrete, soil or the like, but its purpose was specifically for the planning process. He added that the total grant amount for this segment was \$50,000 and was to analyze what the Borough currently had and if our Borough Ordinances were up-to-date and met the latest FEMA and DEP requirements.

Mr. Jones stated that he thanked the Municipal Clerk/Administrator for his diligence in securing the grant money. He stated that he hadn't had much time to review the Hazard Mitigation Plan, but after reading Section 126 regarding the Natural Hazards Survey he wanted to ask if any of the grant money would be dedicated for mapping areas in the Borough that have had chronic problems with flooding, especially areas that have been beyond the stormwater capacity or no longer have an outlet because of grade changes and whatnot.

The Municipal Clerk/Administrator stated for those who were not familiar, that part of the plan was for the County to interview Monmouth County residents, and 14% of the surveyed residents in the completed survey highlighted stormwater as being a concern. He asked Mr. Jones if his point was that this should be part of the Borough's process as we move forward.

Mr. Jones stated that he wanted to know if some of the money could be directed at identifying and possibly correcting drainage problems in other areas of the Borough.

The Municipal Clerk/Administrator reported that the total of the overall grant was about \$275,000 divided up for a wide variety of different areas including: Emergency Planning, Master Planning, GIS Mapping, CRS Program (Community Rating System) for a Resilience Program for flood insurance, as well as other areas. He added that every category had to do with flooding in some respect—it may not always be stormwater, it may be storm related events rather than just a drainage issue. The Municipal Clerk/Administrator stated that with part of the grant money that was awarded as part of the GIS Program we would begin mapping all of the Borough's storm drains, keeping track of where they were located and where the outfall pipes were to enable us to develop a better maintenance plan to be able to address some of those issues. He added that every category had something to do with stormwater and we would be looking at those different areas to try to figure out a way to better address stormwater in the Borough on a whole.

Mr. Jones stated that the main change that he would recommend was to somehow get wider mapping area information to the engineers so that they could make better decisions about site planning for new construction—how the lot gets developed in areas with poor drainage or no outlet for drainage and how the lot development would impact the neighboring properties and drainage in the area. He added that presently engineers were required to do mapping only 50 feet beyond the property boundary.

Mr. Neff asked Mr. Jones if he was referring to actually surveying the stormwater system borough-wide so we could analyze the Borough system as a whole anytime there was development done.

Mr. Jones stated that the money wouldn't go far enough to do the whole Borough, but perhaps the areas that have a chronic problem could be identified as needing more care and control.

Mr. Neff stated that it was not something we would be able to do with this grant now, but it was something that could be put in the County's plan as one of our ideas for the future.

The Municipal Clerk/Administrator stated that it was a good idea and that we would make note and pass it on to the County; that was the purpose of this hearing to get just such input.

Mr. Jones thanked the Mayor and Council and Municipal Clerk/Administrator.

Mayor Ekdahl thanked Mr. Jones for his comments.

**ADJOURNMENT:**

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On motion by Councilman Broderick, seconded by Councilman Rubin, the meeting adjourned at 4:14 p.m. All in favor.

Respectfully submitted,

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Thomas S. Rogers, R.M.C.  
Municipal Clerk/Administrator